

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:19-CR-00264-BSM

HAROLD BEASLEY

DEFENDANT

ORDER

Harold Beasley's new motion to reduce his sentence [Doc. No. 93] is denied for the same reason that his first sentence reduction motion was denied—*i.e.*, he waived the right to have his sentence modified under Title 18, United States Code, Section 3582(c)(2). *See* Doc. Nos. 65 at 3, and 74; *United States v. Cowan*, 781 F. App'x 571, 571–72 (8th Cir. 2019) (per curiam) (affirming dismissal of a section 3582(c)(2) motion because defendant knowingly entered the plea agreement waiving reduction). The fact that Beasley has participated in a drug rehabilitation program during his incarceration and Beasley's objections to his reduction waiver as against public policy do not undermine the validity of the waiver. Additionally, Beasley's request for the appointment of counsel is denied because there is no right to appointed counsel in sentence modification proceedings. *United States v. Harris*, 568 F.3d 666, 669 (8th Cir. 2009).

IT IS SO ORDERED this 15th day of April, 2024.


Brian S. Miller
UNITED STATES DISTRICT JUDGE